



ALVAREZ-GLASMAN & COLVIN

ATTORNEYS AT LAW

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Suite 400-West Tower
City of Industry, CA 91746
Tel: 562.699.5500
Fax: 562.692.2244
www.agclawfirm.com

VIA EMAIL

October 11, 2019

Robin Epley
400 E. Park Ave.
Chico, CA 95928
repley@chicoer.com

Re: California Records Act Request Received September 20, 2019

Dear Ms. Epley:

This office serves as City Attorney for the City of Chico (“City”), and we write on the City’s behalf in response to your California Public Records Act (“PRA”) request received on September 20, 2019 seeking:

“...A screenshot or picture of the blocked persons list[s] as of 11:30 a.m. PST on Sept. 20, 2019 from any social media page (such as Facebook, Twitter, Instagram, etc.) that you personally administrate as a government actor or identify on as political figure. This includes the blocked persons lists for any social media page where you identify yourself by your political title, any page that you run as a political organization; as well as any page that you inform the public about your government work, solicit input on policy issues via comments or likes, or swath in the trappings of your office. I also ask that you please include a timestamp on any and all documents.”

As of the date of this letter, it is the City’s understanding that you have already received initial responses to your request directly from Councilmembers Scott Huber and Sean Morgan. Please find the outstanding records related to your request attached herein—namely those include:

- Alexandra Brown - Declaration Confirming Search for Public Records and Screenshot of Block List
- Sean Morgan – Declaration Confirming Search for Public Records
- Ann Schwab – Declaration Confirming Search for Public Records and Screenshot of Block List
- Karl Ory – Declaration Confirming Search for Public Records and Screenshot of Block List
- Kasey Reynolds – Declaration Confirming Search for Public Records
- Randall Stone – Screenshot of Block List

R. Epley
October 11, 2019
Page 2

In addition, please note that the purpose of this letter is to respond to your follow-up PRA email dated October 8, 2019 where you requested:

“Additionally, I would appreciate it if you could steer me toward whomever is in charge of educating the council when they take office on social media policies, Brown Act violations and First Amendment rights of the public so that I have a knowledge of what they are typically trained in.”

The City would like to inform you that there are no records responsive to this October 8, 2019 PRA email request.

If you have any questions regarding this matter, please contact the undersigned.

Very truly yours,
ALVAREZ-GLASMAN & COLVIN



Gloria V. Ramirez

Deputy City Attorney

cc: Debbie Presson, City Clerk
Dani Rogers, Deputy City Clerk
Andrew Jared, Assistant City Attorney

Mayor Randall Stone

 Randall Home Create

Page	Inbox 1	Manage Jobs	Notifications	Insights	Publishing Tools	More ▾	Settings																																								
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Activity Log																																															

 Autumn Michelle X Chat (82)

9/22/2019

Mayor Randall Stone Settings



Mayor Randall Stone

Page Inbox ¹ Manage Jobs Notifications Insights Publishing Tools More ▾ Settings

Ban a Person

About Create Ad Create Page Developers Careers Privacy Cookies Ad Choices Terms Help

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Autumn Michelle Chat (82)

DECLARATION CONFIRMING SEARCH FOR PUBLIC RECORDS
PURSUANT TO THE CALIFORNIA PUBLIC RECORDS ACT AND CITY OF SAN
JOSE v. SUPERIOR COURT DECISION

I, Alexandria Brown, am an elected official of the City of Chico (hereinafter, "City") and do declare as follows:

1. I understand that under California law, all responsive, non-exempt, public records must be disclosed in response to a Public Records Act ("PRA) request. (California Government Code Section 6250 *et seq.*) I have also been advised of the implications of PRA compliance regarding potential public records from my personal electronic device(s) in light of the California Supreme Court decision in *City of San Jose v. Superior Court* (2017) 2 Cal.5th 608.
2. I understand the definition of "public records" as it is defined in California Government Code Section 6252(e), which states "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics." As a result of the *City of San Jose* decision, this definition has been expanded to include a public official's personal electronic device(s) which contains communications relating to the conduct of the public's business.
3. I also understand that personal communications that are not related in some substantive way to the conduct of the public's business and which are sent from personal electronic devices are not required to be disclosed under the PRA.
4. I understand that a PRA request was submitted by Robin Epley ("Requestor"), dated September 20, 2019, for the following:
 - a) A screenshot or picture of the blocked persons list[s] as of 11:30 a.m. PST on Sept. 20, 2019 from any social media page (such as Facebook, Twitter, Instagram, etc.) that you personally administrate as a government actor or identify on as political figure. This includes the blocked persons lists for any social media page where you identify yourself by your political title, any page that you run as a political organization; as well as any page that you inform the public about your government work, solicit input on policy issues via comments or likes, or swath in the trappings of your office. I also ask that you please include a timestamp on any and all documents.
5. I have undertaken a good faith effort to locate all responsive records on my personal device(s). In a review of my personal electronic device, there was/were _____ record(s) that is/are a public record or is/are related to the public's business for the time period set forth by the Requestor.
6. In the event additional searches are conducted and result in responsive documents, those documents will be turned over to the City.

I hereby declare that the foregoing is true and correct to the best of my knowledge.

Alex Brown, Vice Mayor
Name, Title

10/3/19

Date

RECEIVED

OCT 03 2019
CITY CLERK
CITY OF CHICO

People and Other Pages

Here's where you can see people and other Pages that like Vice Mayor Alex Brown. From the list of people who like your Page, click the  to remove someone from people who like the Page, or ban them. A person who's banned can't post, comment or take other actions on the Page.

Banned People and Pages 

Search 



Name

Banned



Barry Martin

10/19/18

 Ban a Person

To whom it may concern,
The individual blocked was blocked in October 2018,
prior to my election, due to hate speech on my
social media account.

Sincerely,

Banned People and Pages 

Search



Banned

Name	
Casey Croninger	 11/04/18

	Chico State Republicans	11/03/18
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	Butte County Republican Party	11/02/18
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	Butte County Young Republicans	10/24/18
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	Krystal Trevino	10/19/18
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+ Ban a Person

DECLARATION CONFIRMING SEARCH FOR PUBLIC RECORDS
PURSUANT TO THE CALIFORNIA PUBLIC RECORDS ACT AND CITY OF SAN
JOSE v. SUPERIOR COURT DECISION

I, Karl Ory, am an elected official of the City of Chico (hereinafter, "City") and do declare as follows:

1. I understand that under California law, all responsive, non-exempt, public records must be disclosed in response to a Public Records Act ("PRA) request. (California Government Code Section 6250 *et seq.*) I have also been advised of the implications of PRA compliance regarding potential public records from my personal electronic device(s) in light of the California Supreme Court decision in *City of San Jose v. Superior Court* (2017) 2 Cal.5th 608.
2. I understand the definition of "public records" as it is defined in California Government Code Section 6252(e), which states "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics." As a result of the *City of San Jose* decision, this definition has been expanded to include a public official's personal electronic device(s) which contains communications relating to the conduct of the public's business.
3. I also understand that personal communications that are not related in some substantive way to the conduct of the public's business and which are sent from personal electronic devices are not required to be disclosed under the PRA.
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5. I have undertaken a good faith effort to locate all responsive records on my personal device(s). In a review of my personal electronic device, there was/were _____ record(s) that is/are a public record or is/are related to the public's business for the time period set forth by the Requestor.
6. In the event additional searches are conducted and result in responsive documents, those documents will be turned over to the City.

I hereby declare that the foregoing is true and correct to the best of my knowledge.

Karl Ory
Name, Title

9 | 20 | 19
Date

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SEP 30 2019

CITY CLERK
CITY OF CHICO

Debbie Presson

From: Karl Ory
Sent: Wednesday, September 25, 2019 9:55 AM
To: Debbie Presson
Subject: ER PRA request
Attachments: BlockedFB.pdf

Hi Debbie,

Please find attached "screenshots" of my personal and city council FB pages. I have not blocked anyone on my council page. I see I have blocked one person on my personal page. He does not live in the area and his contact is not related in any way to city business. I do not believe I am required to disclose his information to the ER. Please let me know of how this will be handled. Thank you,

Karl



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Ad Center

More ▾

YOUR PAGES

SEE ALL

General

People and Other Pages

Messaging

Here's where you can see people and other Pages that like Council M
the list of people who like your Page, click the to remove someone
the Page, or ban them. A person who's banned can't post, comment c
the Page.

Page Info

Templates and Tabs

Event Ticketing

Post Attribution

Notifications

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Page Roles

People and Other Pages

Preferred Page Audience

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Branded Content

Instagram

Featured

Crossposting

Page Support Inbox

Activity Log

Banned People and Pages

Search

Name

Ban a Person

CONTACTS

- Verla Marie Winslow
- Crystal Baker
- Bill Haack
- Elizabeth Lee Mead...
- Cheri Smith-Comfort
- Steve O'Bryan
- Lisa Currier

GROUP CONVERSATIONS

- Jesica, Angela, Morgan

SEP 30 2019

DECLARATION CONFIRMING SEARCH FOR PUBLIC RECORDS CITY CLERK
PURSUANT TO THE CALIFORNIA PUBLIC RECORDS ACT AND CITY OF SAN CITY OF CHICO
JOSE v. SUPERIOR COURT DECISION

I, Ann Schwa b, am an elected official of the City of Chico (hereinafter, "City") and do declare as follows:

1. I understand that under California law, all responsive, non-exempt, public records must be disclosed in response to a Public Records Act (“PRA”) request. (California Government Code Section 6250 *et seq.*) I have also been advised of the implications of PRA compliance regarding potential public records from my personal electronic device(s) in light of the California Supreme Court decision in *City of San Jose v. Superior Court* (2017) 2 Cal.5th 608.
 2. I understand the definition of “public records” as it is defined in California Government Code Section 6252(e), which states “any writing containing information relating to the conduct of the public’s business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.” As a result of the *City of San Jose* decision, this definition has been expanded to include a public official’s personal electronic device(s) which contains communications relating to the conduct of the public’s business.
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 5. I have undertaken a good faith effort to locate all responsive records on my personal device(s). In a review of my personal electronic device, there was/were 2 record(s) that is/are a public record or is/are related to the public’s business for the time period set forth by the Requestor.
 6. In the event additional searches are conducted and result in responsive documents, those documents will be turned over to the City.

I hereby declare that the foregoing is true and correct to the best of my knowledge.

Ana Schwab Council member 09/30/2019
Name, Title Date

People and Other Pages

Here's where you can see people and other Pages that like Ann Schwab Chico City Councilor. From the list of people who like your Page, click the to remove someone from people who like the Page, or ban them. A person who's banned can't post, comment or take other actions on the Page.

Banned People and Pages

Search

Name	Banned
<input type="checkbox"/> Name	

[+ Ban a Person](#)

General

Messaging

Page Info

Templates and Tabs

Post Attribution

Notifications

Messenger Platform

Page Roles

People and Other Pages

Manage Blocking

- General
- Security and Login
- Your Facebook Information
- Privacy
- Timeline and Tagging
- Stories
- Location
- Blocking
- Language and Region
- Face Recognition

Restricted List

[Edit List](#)

When you add a friend to your Restricted List, they won't see posts on Facebook that you share only to Friends. They may still see things you share to Public or on a mutual friend's timeline, and posts they're tagged in. Facebook doesn't notify your friends when you add them to your Restricted List. [Learn more.](#)

Timeline and Tagging

Once you block someone, that person can no longer see things you post on your timeline, tag you, invite you to events or groups, start a conversation with you, or add you as a friend. Note: This does not include apps, games or groups you both participate in.

Blocking

[Block users](#)

Add name or email

[Block](#)

You haven't added anyone to your block list.

DECLARATION CONFIRMING SEARCH FOR PUBLIC RECORDS
PURSUANT TO THE CALIFORNIA PUBLIC RECORDS ACT AND CITY OF SAN
JOSE v. SUPERIOR COURT DECISION

I, Kasey Reynolds, am an elected official of the City of Chico (hereinafter, "City") and do declare as follows:

1. I understand that under California law, all responsive, non-exempt, public records must be disclosed in response to a Public Records Act ("PRA) request. (California Government Code Section 6250 *et seq.*) I have also been advised of the implications of PRA compliance regarding potential public records from my personal electronic device(s) in light of the California Supreme Court decision in *City of San Jose v. Superior Court* (2017) 2 Cal.5th 608.
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6. In the event additional searches are conducted and result in responsive documents, those documents will be turned over to the City.

I hereby declare that the foregoing is true and correct to the best of my knowledge.


Name, Title

9/30/19
Date

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SEP 30 2019
CITY CLERK
CITY OF CHICO

DECLARATION CONFIRMING SEARCH FOR PUBLIC RECORDS
PURSUANT TO THE CALIFORNIA PUBLIC RECORDS ACT AND CITY OF SAN
JOSE v. SUPERIOR COURT DECISION

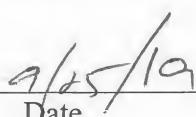
I, Sean Morgan, am an elected official of the City of Chico (hereinafter, "City") and do declare as follows:

1. I understand that under California law, all responsive, non-exempt, public records must be disclosed in response to a Public Records Act ("PRA) request. (California Government Code Section 6250 *et seq.*) I have also been advised of the implications of PRA compliance regarding potential public records from my personal electronic device(s) in light of the California Supreme Court decision in *City of San Jose v. Superior Court* (2017) 2 Cal.5th 608.
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I hereby declare that the foregoing is true and correct to the best of my knowledge.



Name, Title



Date